

FINAL MINUTES

Pesticide Control Board
Oliver Hill Building, Richmond, Va.
January 18, 2007

The Pesticide Control Board met at 9:30 a.m. at the Oliver W. Hill Building, Richmond, Va. Presiding members were Donald Fritz, Chairman and the Executive Secretary.

The following Board members were present: Dr. William Boshier; Dr. George Brown; Ruth Brown; Donald Fritz; Robin Rinaca; Mark Tubbs; Liz White and Joe Wilson. The following Board members were absent: Carl Garrison, III; Dr. Alma C. Hobbs, (represented by Dr. Asmare Atalay); and Dr. Sharron Quisenberry (represented by Dr. Michael Weaver).

The following staff members were present: Andres Alvarez; Dr. Wayne Surles; Donald Blankenship; Liza Fleeson; Joe Dictor; Doug Edwards; Robert Bailey; Kathy Dictor; Marshall Trammell; Jeffrey Rogers; Elaine Lidholm and Rhonda Bates.

Others present: Laurie Coulter, VACPA; John C. Horsley, Jr., Terminix; Kevin Kordek and Mary Beth Kordek, A-Active; Andrea Coron and Kristin Coron, VPMA; Jim Fredericks, Home Paramount; Karen Boniface, BASF; and Susan Nessler, VA Tech.

CALL TO ORDER

Chairman Fritz called the meeting to order.

DETERMINATION OF A QUORUM

Chairman Fritz announced that a quorum was present.

APPROVAL OF MINUTES

Ms. White moved to adopt the minutes of the October 19, 2006 Board meeting; it was properly seconded. The motion carried unanimously.

PUBLIC COMMENT PERIOD

No comments.

COMPLIANCE ACTIVITIES FOR THE QUARTER

Joe Dictor provided a summary of enforcement activities for the quarter.

Mr. Tubbs, Chair of the Enforcement Committee, presented two cases to the Board for approval where the hearing officers adjusted the penalties greater than 25%. In case 26524 involving United Pest Control Company, Inc., Mr. Tubbs moved to accept the hearing officer's recommendation to reduce the \$1200 civil penalty to \$520. Dr. Brown seconded. The motion carried unanimously. In case 26831 involving Dodson Brothers Exterminating Company, Inc., Mr. Tubbs moved to accept the hearing officer's

recommendation to abate the \$1500 civil penalty. Ms. Rinaca seconded. The motion carried unanimously.

PRETREATMENT TERMITICIDE EDUCATION AND ENFORCEMENT PLAN

Dr. Surles provided a status report on the termiticide pretreatment education and enforcement plan. He gave the floor to Kevin Kordek, VPMA, who summarized the successful completion of the plan's education component. Mr. Kordek recognized those who contributed to the success of the training curriculum, noting that it would not have been possible without their support and/or vision. He circulated among the Board members a copy of the 102-page comprehensive manual used in the training. He reported that all four training classes were well attended, but lamented that there was no participation from the building community. Mr. Kordek stated that the Board should consider extending the current program for another year, repeating the training program (with revisions) in Roanoke and Richmond in particular, but also in Northern Virginia and Tidewater.

Dr. Surles continued the discussion with a slide presentation addressing the enforcement component, noting that targeted inspections is working, as well as other aspects such as civil penalties, labeling issues, and communication. He stated that the purpose of the update is to enlighten the Board and seek approval to move forward to reconvene the Termite Task Force and to revise the plan.

Chairman Fritz directed Dr. Surles and Mr. Kordek to develop specific proposals, present a revised plan and recommendations at the April Board meeting. He thanked Mr. Kordek for work well-done.

STATUS OF PESTICIDE APPLICATOR SAFETY TRAINING PROGRAM

Dr. Weaver and Susan Nessler provided updates on the status of the manual development and on the pesticide applicator training programs. Dr. Weaver reported that the 2007 Pesticide Safety Educators Workshop will be held in Roanoke, October 2-3, 2007, at the VA Tech Hotel Roanoke Conference Center. Emphasis will be placed on container reduction and pesticide waste minimization.

Ms. Nessler highlighted reprints of five training manuals, as well as new and completed publications.

EXECUTIVE SECRETARY'S REPORT

Dr. Surles presented a brief report of OPS' cash flow. In regard to personnel, he reported that Donald Weaver, Pesticide Investigator, is retiring April 1; and that Jim Hartlage, Pesticide Investigator, will retire later this year, as well. Agency merit awards were presented to Robert Bailey, Barbara Elliotte, and the Pesticide Inspector Residential Training (PIRT) Team members – Liza Fleeson, Frank Filipy, Robert Christian, Vickie Rengers, Gary Young, Jim Hartlage, Doug Edwards and Wayne Surles. Annie Watkins and the PIRT Team members also received the Superb

Performance on Time (SPOT) award. Dr. Surles informed all that OPS is moving into reconfigured office space and the move will be completed by mid-February.

He requested approval from the Board to conduct a 'pesticide usage survey', which will require manpower and funding. Chairman Fritz agreed that staff should go forward with a plan and present such at the April Board meeting.

Dr. Surles stated that HB 2663, which relates to the application of pesticides and fertilizer, is being watched by OPS. This bill is not assigned to VDACS, nor does VDACS support the bill.

Dr. Surles suggested to the Board that staff provide educational presentations at each meeting with a ten to fifteen minutes 'informational session', commencing in April. Chairman Fritz endorsed the concept.

DEPUTY COMMISSIONER'S REPORT

Mr. Blankenship stated that Commissioner Carlton Courter left VDACS to join the Virginia Department of Game and Inland Fisheries on October 31, 2006, and with the help of senior management VDACS continues to run smoothly. He stated that Secretary Bloxom announced at the Board of Agriculture meeting that about 30 candidates have applied for the vacant Commissioner position; however, there is no specific timeframe for filling the position. He provided the Board copies of the Governor's recommended amendments to the 2006-2008 biennial budget, noting that \$5 million of a \$20 million appropriation to the Department of Conservation and Recreation (DCR) will be transferred from DCR to VDACS through a budget transaction to be approved by Planning and Budget for the Office of Farmland Preservation. Mr. Blankenship reported that VDACS has two minor agency bills in the General Assembly.

CHAIRPERSON'S REPORT

Chairman Fritz requested a moment of silence in memory of Ernest Morse, Citizen Board member, who died October 20, 2006.

He tasked Dr. Surles with composing thank you letters, on behalf of the Board, to the participants in the termiticide pretreatment application training. He again thanked staff in how they represent the Board and the pesticide program in the state of VA.

ADJOURNMENT

Meeting adjourned at 12:00 p.m.

(For further detail, taped minutes of the meeting are on file at VDACS and can be accessed by calling 804/225-2223.)